

House Study Bill 7

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
PUBLIC SAFETY BILL BY
CHAIRPERSON BAUDLER)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring motor vehicle operators to take certain
2 precautions when passing stationary utility maintenance
3 vehicles and making a penalty applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1377HC 80
6 dea/cls/14

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1 1 Section 1. Section 321.323A, subsection 2, Code 2003, is
1 2 amended to read as follows:
1 3 2. The operator of a motor vehicle approaching a
1 4 stationary towing or recovery vehicle, a stationary utility
1 5 maintenance vehicle, or a stationary highway maintenance
1 6 vehicle, that is displaying flashing yellow, amber, or red
1 7 lights, shall approach the vehicle with due caution and shall
1 8 proceed in one of the following manners, absent any other
1 9 direction by a peace officer:
1 10 a. Make a lane change into a lane not adjacent to the
1 11 towing, recovery, utility maintenance, or highway maintenance
1 12 vehicle if possible in the existing safety and traffic
1 13 conditions.

1 14 b. If a lane change under paragraph "a" would be
1 15 impossible, prohibited by law, or unsafe, reduce the speed of
1 16 the motor vehicle to a reasonable and proper speed for the
1 17 existing road and traffic conditions, which speed shall be
1 18 less than the posted speed limit, and be prepared to stop.

1 19 EXPLANATION

1 20 This bill amends Code section 321.323A by requiring that
1 21 motor vehicle operators take certain precautions when
1 22 approaching a stationary utility maintenance vehicle
1 23 displaying flashing yellow, amber, or red lights. Absent any
1 24 other direction by a peace officer, the motor vehicle operator
1 25 is to make a lane change if possible, or if a lane change
1 26 would be impossible, prohibited by law, or unsafe, reduce
1 27 speed below the posted limit and be prepared to stop.

1 28 A violation of this requirement is a simple misdemeanor
1 29 punishable by a scheduled fine of \$50.

1 30 LSB 1377HC 80
1 31 dea/cls/14

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